

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **JUDD et al.** §§
Patent No.: **7,016,963** §§
Issued: **March 21, 2006** §§
Title: **CONTENT MANAGEMENT AND** §§ Atty. Docket Number:
TRANSFORMATION SYSTEM §§ **13002.1001**
FOR DIGITAL CONTENT §§

MOTION UNDER 37 CFR 41.121(a)(f)

Mail Stop Attention Motions
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

To the Office:

In accordance with 37 CFR 41.121(a)(f) the applicants hereby submit this motion to set for a statement of the precise relief requested, a statement of material facts and a statement for the reasons for the relief requested. The applicant submits that all the requirements for this motion have been satisfied and the applicant respectfully requests the Board to rule favorably and to grant this motion.

Statement of Precise Relief Requested:

The applicant is requesting to Office to reprint the front page of the above-identified patent with the assignee information identifying Melia Technologies, LTD having a residence city of Atlanta and located in Georgia.

Statement of Material Facts:

[001] The applicant submitted the payment of the issue fee for the above-identified patent on January 3, 2006.

[002] The applicant mistakenly identified the assignee of this patent as GLOW DESIGNS, LLC in block 3A and an incorrect address in block 3B of the Fee Transmittal form PTOL-85.

[003] The actual and current assignee of the above-identified patent is Melia Technologies, LTD and their city and state is Atlanta Georgia.

[004] The patent issued on March 21, 2006.

[005] The assignment of the patent to Melia Technologies, LTD was recorded on July 24, 2001 at Reel 012031 and Frame 0797.

[006] Thus the requirement under 37 CFR 3.11 is satisfied in that the assignment was recorded with the USPTO prior to the issue date of the patent.

[007] In accordance 37 CFR 1.323, if the conditions of 35 USC 255 are satisfied and the payments required under 37 CFR 1.20(a) and 36 CFR 1.17(i) are satisfied, the applicant is entitled to this relief.

[008] The conditions of 35 USC 255 are met in that the applicant made a clerical mistake in listing GLOW DESIGNS as the assignee of this invention and as such, this mistake was in good faith and further, this correction does not involve a change that would constitute new matter or require a reexamination.

[009] The payments required under 37 CFR 1.20(a) and 36 CFR 1.17(i) have been previously paid in the applicants submission on May 19, 2006.

[010] Thus, in view of the facts listed in sentence [008] and sentence [009], the applicant is entitled to the relief provided in 37 CFR 1.323.

Statement of the reasons for the relief requested:

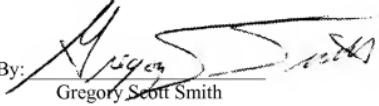
37 CFR 81(b) states that “After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a)) and the processing fee set forth in § 1.17 (i) of this chapter”

When the applicant submitted the payment of the issue fee for the above identified patent application, the applicant mistakenly listed another client, GLOW DESIGNS, LLC as the assignee of this invention on the transmittal form. This mistake was not discovered until the

issued patent was received by the applicant. Melia Technologies, LTD, is the correct and current assignee of this patent as was established in the Statement of material facts. As such, the current assignee desires to have their name listed on the front of the patent.

The applicants submit that all of the requirements necessary to establish the entitlement to this relief and for requesting this relief have been satisfied and hereby request the Office to rule on this motion and to reprint the front page of the above-identified patent with the corrections identified in the Certificate of Correction Form (PTO/SB/44) submitted herewith.

Respectfully submitted,

By: 
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